

## REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 10-12 and 14-22 remain in the application. Claims 10 and 16 have been amended. Claims 1-9 and 13 had been canceled previously.

Claim 10 has been amended in an effort to more properly define the subject optical module. The entry of the amendment is believed to be in order, as it does not indeed change the scope of the claim and it does not require the Examiner to perform a new search or subject the claim to new consideration.

Claim 16 has been rewritten in independent form. In light of the indicated allowability thereof, claim 16 is now in condition for allowance. Claims 17-18 depend from claim 16 and they are in condition for allowance as well.

We now turn to the art rejection, in which claims 10, 11, 14, 15, and 19-22 have been rejected as being anticipated by Fujimoto et al. (US 2004/0109079 A1, "Fujimoto") under 35 U.S.C. § 102 and claim 12 has been rejected as being obvious over Fujimoto in view of Kim et al. (US 2003/0048378 A1, "Kim") under 35 U.S.C. § 103.

Applicants appreciate the Examiner's careful discussion of the Fujimoto disclosure and the detailed explanation concerning the comparison between the claimed invention and Fujimoto. On carefully reviewing the issues, we respectfully request the Examiner to reconsider the rejection on the basis of the following argument.

There exist considerable differences between claim 10 and Fujimoto. In order to understand the elements of Fujimoto's Fig. 1, and in order to compare the elements of our claim 10, one must review Fujimoto's description. Several of the claimed elements are either not present as such in the reference or they are not present in the claimed combination. To wit:

**Semiconductor element disposed in a housing:**

Our prior argument concerning the "semiconductor element disposed in a housing" has apparently not been considered. Reference numeral 4 of Fujimoto is a frame interposed between the holder 1 and the substrate 2. Fujimoto [0025]. Obviously, the semiconductor element (image sensor chip 3) and the frame 4 are not one single electronic component. Fujimoto [0033]. Therefore, the frame 4 is not the housing of a semiconductor element.

**Base Lens:**

Reference numeral 1 of Fujimoto is a holder for holding lenses. See, Fujimoto [0025] and [0027]. A lens holder, of course, is not a lens.

Fujimoto does not satisfy the claim 10 requirement that a base lens be supported on and in direct contact with (a support formed on) the housing of a semiconductor element. Accordingly, Fujimoto does not anticipate the invention defined in claim 10.

The rejection of claim 12 has been reviewed as well. The secondary reference Kim was introduced for its teaching of a ring collar. Kim is acknowledged. It does not,

however, make up for the shortcomings of the primary reference. The combined teachings of Fujimoto and Kim do not render any of the claims unpatentable.

In summary, neither Fujimoto nor any other of the references, whether taken alone or in any combination, either show or suggest the features of the claims. The independent claims 10 and 16, as well as the dependent claims are patentable over the art of record.

In view of the foregoing, reconsideration and allowance of claims 10-12 and 15-22 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out. In the alternative, the entry of the amendment is requested as it is believed to place the application in better condition for appeal, without requiring extension of the field of search.

/Werner H. Stemer/

Werner H. Stemer  
(Reg. No. 34,956)

WHS/lq

July 5, 2007

Lerner Greenberg Stemer LLP  
P.O. Box 2480  
Hollywood, Florida 33022-2480  
Tel.: 954-925-1100  
Fax: 954-925-1101